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\*Admitted only in Virginia  
\*Practice Limited to  
Federal Agencies

November 2, 2005

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

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Art Unit 1636

Mail Stop: Amendment

Sir:

Re: U.S. Utility Patent Application  
Appl. No. 10/629,859; Filed: July 30, 2003  
For: **Reverse Transcription**  
Inventor: Gary F. GERARD  
Our Ref: 0942.5530002/RWE/JKM

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement Filing Under 37 C.F.R. § 1.97(b);
2. List of cited references on Form PTO/SB/08A (3 sheets);
3. List of cited references on Form PTO/SB/08B (1 sheet);
4. Copies of references **NPL7** and **NPL8** listed on Form PTO/SB/08B (2 documents); and
5. One (1) return postcard.

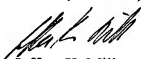
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
November 2, 2005  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey K. Mills  
Agent for Applicant  
Registration No. 56,413

RWE/JKM:bac  
Enclosures

459391\_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary F. GERARD

Appl. No.: 10/629,859

Filed: July 30, 2003

For: **Reverse Transcription**

Confirmation No.: 6152

Art Unit: 1636

Examiner: Riggins, P.

Atty. Docket: 0942.5530002/RWE/JKM

**Information Disclosure Statement  
Filing Under 37 C.F.R. § 1.97(b)**

*Mail Stop Amendment*

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Forms PTO/SB/08A and PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents **NPL7** and **NPL8** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, documents **US1-US51**, cited on the attached Form PTO/SB/08A are not submitted.

In addition, copies of documents **NPL1-NPL6** are not provided in accordance with the U.S. Patent and Trademark Office OG notice of October 19, 2004, which states: "the requirement in 37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is sua sponte waived where the cited pending application is stored in the USPTO's IFW system."

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

Application No. 09/515,513, inventors Li, W.-B., *et al.*, filed February 29, 2000, now published as 2002/0028447 A1, cited herein as document US33;

Application No. 09/948,714, inventors Astatke, M. and Gebeyehu, G., filed September 10, 2001, now published as 2002/0037834 A1, cited herein as document US34;

Application No. 09/845,157, inventors Smith, M.D., *et al.*, filed May 1, 2001, now published as 2002/0090618 A1, cited herein as document US35;

Application No. 09/808,124, inventors Potter, R.J. and Rosenthal, K., filed March 15, 2001, now published as 2003/0003452 A1, cited herein as document US36;

Application No. 10/024,131, inventors Kotewicz, M.L. and Gerard, G.F., filed December 21, 2001, now published as 2003/0027313 A1, cited herein as document US37;

Application No. 09/064,057, inventors Gerard, G.F., *et al.*, filed April 22, 1998, now published as 2003/0032086 A1, cited herein as document US38;

Application No. 10/024,149, inventors Kotewicz, M.L. and Gerard, G.F., filed December 21, 2001, now published as 2003/0039988 A1, cited herein as document US39;

Application No. 10/292,604, inventors Gerard, G.F., *et al.*, filed November 13, 2002, now published as 2003/0186270 A1, cited herein as document US40;

Application No. 10/405,608, inventors Gruber, C.E. and Shih, P.-J., filed April 3, 2003, now published as 2003/0190661 A1, cited herein as document US41;

Application No. 10/292,662, inventors Gerard, G.F., *et al.*, filed November 13, 2003, now published as 2003/0198944 A1, cited herein as document US42;

Application No. 10/640,662, inventor Huhes, Jr., A.J., filed August 14, 2003, now published as 2004/0033579 A1, cited herein as document US43;

Application No. 10/655,579, inventors Park, K. and Lee, J.E., filed September 5, 2003, now published as 2004/0126789 A1, cited herein as document US44;

Application No. 10/629,859, inventor Gerard, G.F., filed July 30, 2003, now published as 2004/0152072 A1, cited herein as document US45;

Application No. 10/816,886, inventors Gruber, C.E. and Jessee, J.A., filed April 5, 2004, now published as 2004/0185493 A1, cited herein as document US46;

Application No. 10/661,819, inventors Smith, M.D., *et al.*, filed September 15, 2003, now published as 2004/0209276 A1, cited herein as document US47;

Application No. 10/861,469, inventors Lee, J.E. and Rashtchian, A., filed June 7, 2004, now published as 2004/0219595 A1, cited herein as document US48;

Application No. 10/821,128, inventors Lee, J.E. and Zheng, W., filed April 9, 2004, now published as 2004/0265870 A1, cited herein as document **US49**;

Application No. 10/899,139, inventors Li, W.-B., *et al.*, filed July 27, 2004, now published as 2004/0265969 A1, cited herein as document **US50**;

Application No. 11/007,184, inventors Astatke, M., *et al.*, filed December 9, 2004, now published as 2005/0089922 A1, cited herein as document **US51**;

Application No. 09/570,526, inventors Astatke, M., *et al.*, filed May 12, 2000, not yet published, cited herein as document **NPL1**;

Application No. 09/677,574, inventors Yang, S. and Chatterjee, D.K., filed October 3, 2000, not yet published, cited herein as document **NPL2**;

Application No. 09/725,897, inventors Goldsborough, M.D. and Fox, D.K., filed November 30, 2000, not yet published, cited herein as document **NPL3**;

Application No. 10/970,280, inventors Kotewicz, M.L. and Gerard, G.F., filed October 22, 2004, not yet published, cited herein as document **NPL4**;

Application No. 10/929,791, inventors Kotewicz, M.L. and Gerard, G.F., filed August 31, 2004, not yet published, cited herein as document **NPL5**; and

Application No. 11/212,807, inventor Hughes, Jr., A.J., filed August 29, 2005, not yet published, cited herein as document **NPL6**;

The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached Form PTO/SB/08A and Form PTO/SB/08B based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return copies of the enclosed Form PTO/SB/08A and Form PTO/SB/08B, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey K. Mills  
Agent for Applicant  
Registration No. 56,413

Date: November 2, 2005

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<p>Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.</p> <p>Substantive Form 1449-TO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)</p>				<p><b>Complete if Known</b></p>	
				Application Number	10/629,859
				Filing Date	July 30, 2003
				First Named Inventor	Gary F. GERARD
				Art Unit	1636
				Examiner Name	Riggins, P.
Sheet 1 of 3				Attorney Docket Number	0942.5530002/RWE/JKM

		U.S. PATENT DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)	MM-DD-YYYY		
	US1	4,748,233	05/31/1988	Sloma	
	US2	4,889,818	12/26/1989	Gelfand <i>et al.</i>	
	US3	4,965,188	10/23/1990	Mullis <i>et al.</i>	
	US4	5,017,492	05/21/1991	Kotewicz <i>et al.</i>	
	US5	5,219,989	06/15/1993	Sonenberg <i>et al.</i>	
	US6	5,244,797	09/14/1993	Kotewicz <i>et al.</i>	
	US7	5,338,671	08/16/1994	Scalice <i>et al.</i>	
	US8	5,374,553	12/20/1994	Gelfand <i>et al.</i>	
	US9	5,405,776	04/11/1995	Kotewicz <i>et al.</i>	
	US10	5,587,287	12/24/1996	Scalice <i>et al.</i>	
	US11	5,595,895	01/21/1997	Miki <i>et al.</i>	
	US12	5,668,005	09/16/1997	Kotewicz <i>et al.</i>	
	US13	5,824,875	10/20/1998	Ranu	
	US14	5,985,619	11/16/1999	Sutherland <i>et al.</i>	
	US15	5,989,819	11/23/1999	Odawara	
	US16	6,013,488	01/11/2000	Hayashizaki	
	US17	6,063,608	05/16/2000	Kotewicz <i>et al.</i>	
	US18	6,096,877	08/01/2000	Vlasuk <i>et al.</i>	
	US19	6,103,473	08/15/2000	Copeland and Wang	
	US20	6,140,086	10/31/2000	Fox <i>et al.</i>	
	US21	6,143,528	11/07/2000	Hayashizaki	

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*Applicant's unique citation designation number (optional). \*See Kinds Codes for USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \*Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the indication of the year of the Emperor must precede the serial number of the patent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \*Applicant is to place a check mark here if English language Translation is attached.

English language Translation is attached.

This collection of information is required by 37 CFR 1.197 and 1.198. The information is required to obtain or retain a benefit by the public which is to file (and) by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including the time to prepare and submit the completed application form to the USPTO. Time will vary depending upon the individual case.

On the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO

### INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	3	of	3
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**Complete if Known**

Application Number	10/629,859
Filing Date	July 30, 2003
First Named Inventor	Gary F. GERARD
Art Unit	1636
Examiner Name	Riggins, P.
Attorney Docket Number	0942.5530002/RWE/JKM

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

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Examiner Signature		Date Considered	
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Substitute for form 1449/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				Application Number	10/629,859
				Filing Date	July 30, 2003
				First Named Inventor	Gary F. GERARD
				Art Unit	1636
				Examiner Name	Riggins, P.
Sheet	1	of	1	Attorney Docket Number	0942.5530002/RWE/JKM

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	NPL1	Co-pending U.S. Application No. 09/570,526, Astatke, M., <i>et al.</i> , filed May 12, 2000 (NOT PUBLISHED)	
	NPL2	Co-pending U.S. Application No. 09/677,574, Yang, S. and Chatterjee, D.K., filed October 3, 2000 (NOT PUBLISHED)	
	NPL3	Co-pending U.S. Application No. 09/725,897, Goldsborough, M.D. and Fox, D.K., filed November 30, 2000 (NOT PUBLISHED)	
	NPL4	Co-pending U.S. Application No. 10/970,280, Kotewicz, M.L., and Gerard, G.F., filed October 22, 2004 (NOT PUBLISHED)	
	NPL5	Co-pending U.S. Application No. 10/929,791, Kotewicz, M.L., and Gerard, G.F., filed August 31, 2004 (NOT PUBLISHED)	
	NPL6	Co-pending U.S. Application No. 11/212,807, Hughes, Jr., A.J., filed August 29, 2005 (NOT PUBLISHED)	
	NPL7	Myers, T.W. and Gelfand, D.H., "Reverse Transcription and DNA Amplification by a <i>Thermus thermophilus</i> DNA Polymerase," <i>Biochemistry</i> 30:7661-7666, American Chemical Society (1991)	
	NPL8	TaqStart™ Antibody and TthStart™ Antibody General PCR Product Information Sheet, Clontech 1996-1997 Catalog, p. 41	

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Examiner Signature	Date Considered
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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